



Maricopa County Justice Courts, State of Arizona

Petitioner/ Plaintiff [] Judgment Creditor [] Judgment Debtor Name: _____ Address: _____ City, State, Zip Code: _____ Phone(s): _____	Case No. _____
Respondent/Defendant [] Judgment Creditor [] Judgment Debtor Name: _____ Address: _____ City, State, Zip Code: _____ Phone(s): _____	Garnishee Name: _____ Address: _____ City, State, Zip Code: _____ Phone(s): _____ Attorney: _____

ORDER OF CONTINUING LIEN (EARNINGS GARNISHMENT) (A.R.S. § 12-1598.10)

The Application for Order of Continuing Lien is approved. The garnishment shall be a continuing lien against the judgment debtor's nonexempt earnings. All nonexempt earnings shall be withheld by the garnishee and must be transferred to the judgment creditor. All nonexempt earnings that have been withheld pursuant to the Writ must be transferred to the judgment creditor.

- ☐ (*Hardship exception only*) The judgment debtor is subject to the "maximum disposable earnings" provision of ARS 33-1131, and there is clear and convincing evidence that the judgment debtor or the debtor's family would suffer extreme economic hardship as a result of the garnishment. The amount of nonexempt earnings to be withheld and transferred to the creditor is reduced to _____ % (not less than 15%).

The judgment debtor shall pay to the garnishee through the garnishment process:

- ☐ \$ _____ for attorney fees incurred in answering the Writ of Garnishment.

The judgment debtor shall pay to the judgment creditor through the garnishment process:

- ☐ \$ _____ for the cost of service, and
☐ \$ _____ for the cost of issuance of the Writ.

Date: _____

Justice of the Peace

INSTRUCTIONS FORM 4 - ORDER OF CONTINUING LIEN (EARNINGS)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 4 IF:

- o You are the judgment creditor or you represent a judgment creditor.
- o You are seeking to collect a money judgment from a third party who owes or will owe earnings to the judgment debtor within the next 60 days.

TO COMPLETE FORM 4 YOU WILL NEED:

- o Information on the Writ and Summons

HOW TO COMPLETE FORM 4:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Order of Continuing Lien.

*Lines 1 through 7 are known as the **caption**. You must complete this portion if not already filled in.*

- (1) Type or print the name and the address of the Justice Court precinct in which you are filing the Application for Writ.
- (4) Type or print the name, mailing address and, if known, phone number(s) of the petitioner/plaintiff on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment creditor or judgment debtor in this garnishment action.
- (5) Type or print the name, mailing address and, if known, phone number(s) of the respondent/defendant on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment debtor or judgment creditor in this garnishment action.
- (6) Type or print the name, mailing address, phone number and attorney (if known) of the person or company (garnishee) that owes or will owe earnings to the judgment debtor within the next 60 days that you are seeking to collect in this lawsuit.
- (7) Type or print the case number appearing on the Writ.

DO NOT FILL IN ANY UNNUMBERED BLANKS. THE JUDICIAL OFFICER WILL COMPLETE THE REMAINING ITEMS.

WHEN YOU HAVE COMPLETED THE APPLICATION:

- ☐ Follow the steps on the Process Checklist.